IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

Crl.Rev.Pet.No. 11 of 1999()

CRA.65/1997 of ADDL.SESSIONS COURT,-I, MAVELIKKARA
C.C.181/92 OF JFCM-MAVELIKKARA
.....

REVN. PETITIONER: APPELLANT/ACCUSED

KESAVAN
S/O.VILIYATHARAYIL VEEDU KALI
VALLIKUNNAM P.O.
MAVELIKKARA.

BY ADV. SRI.P.JACOB VARGHESE

RESPONDENT: RESPONDENT/COMPLAINANT & STATE

STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 12/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRRP11/1999

ORDER ON CRL.M.P.NO.23/1999 IN CRL.R.P.NO.11/99

DISMISSED

12.6.2007 **SD/- K.R.UDAYABHANU, JUDGE**

/TRUE COPY/

P.A. TO JUDGE

K.R.UDAYABHANU, J

CRL.R.P.No.11 of 1999

Dated this the 12th day of June, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 55(g) of the Abkari Act and sentenced to undergo R.I. for six months and to pay a fine of Rs.1,000/- and in default, to undergo simple imprisonment for two months.

2. The prosecution case is that on 7.9.1991 on search of the house of the accused wash for manufacture of illicit liquor was detected.

3. Counsel for the revision petitioner has pleaded for modification of the sentence pointing out that the incident has been taken place in the year 1991 and for the past one and half decades, the revision petitioner has been facing criminal proceedings. It is also submitted that right now he is aged 68 years. In the circumstances and in view of the long delay, I find that the sentence is liable to be modified. The sentence is modified to imprisonment till the the rising of the court and to pay a fine of Rs.5,000/- and in default, to undergo simple imprisonment for one month.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl